

**Amendments to the Claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

1-32 (canceled).

33. (currently amended) A preparation for application to skin and/or mucous membrane, comprising an oil-in-water emulsion having an aqueous phase comprising a film-forming polymer combination comprising at least two polymers and an emulsified phase comprising at least one volatile silicone, at least one pigment and optional fillers.

34. (previously presented) A preparation as set forth in claim 33, wherein in that the film-forming polymer combination has an elastic polymer and a polymer imparting strength or toughness.

35. (previously presented) A preparation as set forth in claim 34, wherein the elastic polymer is selected from the group consisting of an acrylate or a derivative thereof, a methacrylate or a derivative thereof, a polyvinylalcohol and/or a polyvinylacetate or a copolymer comprising two or more of said monomers and mixtures thereof.

36. (previously presented) A preparation as set forth in 34, wherein the polymer imparting strength or toughness is selected from the group consisting of polyurethane, polyetherurethane, polyesterurethane, polyvinylpyrrolidone, and mixtures thereof.

37. (previously presented) A preparation as set forth in 33,

wherein the film-forming polymer combination is a polyurethane acrylate copolymer.

38. (previously presented) A preparation as set forth in claim 37, wherein the film-forming polymer combination is a polymer blend selected from the group consisting of a polyurethane polymer, polyvinylpyrrolidone polymer, acrylic polymer, acrylamide polymer, acrylic ester polymer, a polyvinylalcohol, polyvinylacetate and mixtures thereof.

39. (previously presented) A preparation as set forth in claim 33, wherein the polymer combination is selected from the group consisting of octadecene/MA copolymer/diethylhexyl-sebacates, acrylates copolymer, polyurethane-acrylates copolymer, lauryl dimethicone, PVP/dimethyl aminoethylmethacrylate/polycarbamyl/polyglycolester, PVP/dimethiconylacrylate/polycarbamyl/polyglycolester, PPG/IPDI/DPMA crosspolymer, alkylacrylate copolymer, acrylates/stearyl acrylate/dimethicone methacrylate copolymer, polyvinyl stearyl ether, acrylates/lauryl acrylate/stearyl acrylate/ethylamine oxide methacrylate copolymer, polyurethanes and mixtures thereof.

40. (previously presented) A preparation as set forth in 33, wherein the film-forming polymer is a combination of at least two polymers either in the form of a copolymer or in the form of a polymer blend.

41. (previously presented) A preparation as set forth in 33, wherein the film-forming polymer combination is a combination of one or more polyurethanes and one or more acrylates and/or methacrylates in the form of a copolymer or a polymer blend.

42. (previously presented) A preparation as set forth in 33,

wherein the film-forming polymer selected from the group consisting of polymers, copolymers, crosspolymers of polyvinylpyrrolidone, polyvinylalcohol, polyvinylacetate, polyurethane, polyacrylate, polymethacrylate and mixtures thereof.

43. (previously presented) A preparation as set forth in claim 33, further including at least one moistening agent contained in the aqueous phase.

44. (previously presented) A preparation as set forth in claim 43, wherein the moistening agent is selected from the group consisting of 1,2-propylene glycol, dipropylene glycol, tripolyethylene glycol, glycerin, diglycerin, triglycerin, butylene glycol, hexylene glycol; sugar, sugar alcohol, mannitol, sorbitol, xylitol; glucose, fructose, sucrose, maltose, urea, lactic acid in Na-lactate, sodium PCA and mixtures thereof.

45. (previously presented) A preparation as set forth in claim 33, wherein the at least one pigment comprises at least one spherical fine pigment in the form of LDP.

46. (previously presented) A preparation as set forth in claim 45, further including one or more pigments selected from the group consisting of organic pigments, inorganic pigments, lakes of organic dyes, metal powders, coated metal powders, flake-form preparations based on silicon dioxide, aluminum oxide, glass and mixtures thereof.

47. (previously presented) A preparation as set forth in claim 40, wherein the volatile silicone selected from the group consisting of dimethicone, hexamethyldisiloxane, cyclomethicone, dodecamethylcyclohexasiloxane, decamethylcyclopentasiloxane, octamethylcyclotetrasiloxane, ethyl perfluoroisobutyl ether,

ethyl perfluorobutyl ether and mixtures thereof.

48. (previously presented) A preparation as set forth in 33, further including a filler.

49. (previously presented) A preparation as set forth 48, wherein the filler selected from the group consisting of dimethicone vinyldimethicone crosspolymers, polyamide, polyethylene, kaolin, talcum, boron nitride, PMMA, methylmethacrylate crosspolymer, silica, alumina, mica, PTFE, lauroyllysin and mixtures thereof.

50. (previously presented) A preparation as set forth in 33, further including an active substance.

51. (currently amended) A preparation as set forth in 33, wherein the preparation is free of wax, fat and oil in the form of triglycerides, liquid fatty acid esters or mineral oil.

52. (previously presented) A preparation as set forth in 33, further including an emulsifier.

53. (previously presented) A preparation as set forth in claim 52, wherein the emulsifier is a non-ionogenic emulsifier selected from the group consisting of polyglyceryl-3-methylglucose distearate, perfluorononyl dimethicone and derivatives thereof, alkyl dimethicone, acrylates/stearyl acrylate/dimethicone methacrylate copolymer, hydroxypropyl dimethicone behenate, dimethicone propyl PG-betaine, polyglyceryl-4-isostearate, glyceryl stearate, glyceryl stearate citrate, caprylyl dimethicone ethoxyglucoside and mixtures thereof.

54. (previously presented) A preparation as set forth in claim

33, further including additives and adjuvants which are usual in cosmetics.

55. (previously presented) A preparation as set forth in claim 54, wherein the additives selected from the group consisting of preserving agents, antioxidants, agents for regulating the pH-value, vegetable or animal extracts, perfume mixtures, light protection filters, and mixtures thereof.

56. (previously presented) A preparation as set forth in 33, wherein the film-forming polymer combination is used in the form of an aqueous solution.

57. (previously presented) A preparation as set forth in 33, wherein the film-forming polymer combination is used in the form of an aqueous dispersion.

58. (previously presented) A preparation as set forth in 33, wherein the film-forming polymer combination is contained in a proportion of between 5 and 50 % by weight, with respect to the total preparation.

59. (previously presented) A preparation as set forth in 33, wherein the film-forming polymer combination is contained in a proportion of between 5 and 25 % by weight, with respect to the total preparation.

60. (previously presented) A preparation as set forth in 33, wherein the at least one volatile silicone is contained in the preparation in a proportion of between 10 and 25 % by weight.

61. (previously presented) A preparation as set forth in 33, wherein the at least one pigment is contained in the preparation in a proportion of between 0.1 and 15 % by weight.

62. (currently amended) A process for the production of a preparation as defined in claim 33, wherein pigments and fillers are mixed with the volatile silicone, optionally preserving agent and moistening agent are incorporated in water, silicone phase and aqueous phase are homogenized to form an the water-in-oil emulsion, optionally prior to or after the emulsification operation emulsifier is added and thickener and film-forming polymers are added and finally the substance is filled into containers.